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OFFICE OF PETITIONS

In re Application of
Rich Huffman
Application No. 10/799,898
Filed: March 12, 2004
Attorney Docket No. 2503343-991100

DECISION ON REQUEST
TO WITHDRAW FROM
RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed by facsimile transmission on April 14, 2006.

The request is **NOT APPROVED**.

The Office cannot approve the request at this time since the reasons provided do not meet any of the conditions under the mandatory or permissive categories enumerated in 37 CFR 10.40. Section 10.40 of Title 37 of the Code of Federal Regulation states, "[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]" More specifically, 37 CFR 10.40 states, "[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matter pending before the Office unless such request or such withdrawal is" for one the permissive reasons listed in 37 CFR 10.40(c). The reasons set forth in the request, "The application is being transferred to another attorney", do not meet any the conditions set forth in 37 CFR 10.40.

While the assignee attempted to intervene in the above-identified application, the Revocation of Power of Attorney filed May 1, 2006 does not comply with 37 CFR 3.73(b) in that the required Statement under 37 CFR 3.73(b) is incomplete. Therefore, in order for the Revocation of Power of Attorney to be acceptable, compliance with 37 CFR 3.73(b) must be satisfied. Assignee is encouraged to use Statement under 37 CFR 3.73(b) found on the USPTO.gov website (Form No. PTO/SB/96).

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

This application file is being referred to Technology Center Art Unit 3762.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

Conferee:

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